**CONFERENCE OF THE EIGHTEEN-NATION COMMITTEE ON DISARMAMENT**

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7 August 1969
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FINAL VERBATIM RECORD OF THE FOUR HUNDRED AND TWENTY-SIXTH MEETING

held at the Palais des Nations, Geneva,
on Thursday, 7 August 1969, at 10.30 a.m.

Chairman: Mr. H. KHALLAF (United Arab Republic)

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PRESENT AT THE TABLE

| | |
|---|---|
| Argentina: | Mrs. A.M. ZaEFFERER de GOYENECHE |
| | Mr. A.F. DUMONT |
| | Mr. L.R. REYNa |
| Brazil: | Mr. S.A. FRaZaO |
| | Mr. P. CaBRaL de MELLO |
| | Mr. L.F. PaLMEIRA LAMPREIA |
| Bulgaria: | Mr. K. CHRISTOV |
| | Mr. M. KaRASSIMEONOV |
| | Mr. I. PEINIRDJIEV |
| Burma: | U KYAW MIN |
| Canada: | Mr. G. IGNATIEFF |
| | Mr. R.W. CLARK |
| | Mr. J.R. MORDEN |
| Czechoslovakia: | Mr. T. LAHODA |
| | Mr. M. VEJVODA |
| | Mr. J. CINGROS |
| Ethiopia: | Mr. A. ZELLEKE |
| Hungary: | Mr. I. KOMIVES |
| | Mr. I. SaRKADI |
| | Mr. J. PETRAN |
| | Mr. S. HAJNAL |
| India: | Mr. M.A. HUSAIN |
| | Mr. K.P. JAIN |
| Italy: | Mr. R. CARaCCIOLO |
| | Mr. F.L. OTTIERI |
| | Mr. R. BORSaRELLI |
| | Mr. U. PESTALOZZA |

| | |
|---|---|
| Japan: | Mr. K. ASAKAI |
| | Mr. Y. NAKAYAMA |
| | Mr. M. OGISO |
| | Mr. T. SENGOKU |
| Mexico: | Mr. J. CASTANEDA |
| | Miss E. AGUIRRE |
| | Mr. R. VALERO |
| Mongolia: | Mr. N. DUGERSUREN |
| | Mr. S. ADIKHOU |
| Morocco: | Mr. A.A. KHATTABI |
| Netherlands: | Mr. H.F. ESCHAUZIER |
| | Mr. J. KAUFMANN |
| | Mr. E. BOS |
| Nigeria: | Mr. C.O. HOLLIST |
| | Mr. L.A. MALIKI |
| Pakistan: | Mr. A. SHAHI |
| | Mr. K. AHMED |
| | Mr. S.A.D. BUKHARI |
| Poland: | Mr. A. CZARKOWSKI |
| | Mr. A. SKOWRONSKI |
| | Mr. M. STEPOSZ |
| | Mr. R. WLAZLO |
| Romania: | Mr. O. IONESCO |
| | Mr. C. GEORGESCO |
| | Mr. A. SASU |
| | Mr. F. ROSU |
| Sweden: | Mrs. A. MYRDAL |
| | Mr. A. EDELSTAM |
| | Mr. I. VIRGIN |
| | Mr. R. BOMAN |

| | |
|---|---|
| Union of Soviet Socialist Republics: | Mr. A.A. ROSHCHIN |
| | Mr. R.M. TIMERBAEV |
| | Mr. V.V. SHOUSTOV |
| | Mr. V.B. TOULINOV |
| United Arab Republic: | Mr. H. KHALLAF |
| | Mr. O. SIRRY |
| | Mr. E.S. El REEDY |
| | Mr. M. ISMAIL |
| United Kingdom: | Mr. I.F. PORTER |
| | Mr. W.N. HILLIER-FRY |
| | Mr. R.I.T. CROMARTIE |
| United States of America: | Mr. J.F. LEONARD |
| | Mr. A.F. NEIDLE |
| | Mr. W. GIVAN |
| | Mr. R. McCORMACK |
| Yugoslavia: | Mr. M. BOZINOVIC |
| | Mr. M. VUKOVIC |
| Special Representative of the Secretary-General: | Mr. D. PROTITCH |
| Deputy Special Representative of the Secretary-General: | Mr. W. EPSTEIN |

1. The CHAIRMAN (United Arab Republic): I declare open the public part of the 426th plenary meeting of the Conference of the Eighteen-Nation Committee on Disarmament.

2. In my capacity as Chairman of this meeting, and with the permission of the Committee, I should like to welcome most warmly and cordially to our midst the delegations of Argentina, Hungary, Morocco, the Netherlands, Pakistan and Yugoslavia, who are joining the Disarmament Committee today. I am confident that their participation in our work here will bring a fresh perspective to the discussion and that their help will prove to be of the greatest value for the promotion of the cause of disarmament. With this in mind I wish them every success in their endeavours towards the fulfilment of our common task.

3. I now call on the representative of Hungary.

4. Mr. KOMIVES (Hungary): This being the first time that the Hungarian People's Republic has taken part in the work of this highly important Committee, permit me first of all to express the thanks of my Government to the two co-Chairmen of the Conference, and to all members of the Committee, for their invitation. Let me thank you, also, Mr. Chairman, for the kind words with which you have greeted our delegation among the delegations of the other new members. My Government has accepted the invitation with the intention of taking an active part and doing useful work, to the best of its ability, in the search for the solution of the great problems before the Committee.

5. From the very beginning the Hungarian People's Republic and the Hungarian people have attached great importance to the Conference of the Committee on Disarmament, whose work has a direct bearing upon the fate and future of mankind. The activity of the Committee on Disarmament has a two-fold role to play in preparing and promoting the solution of the questions concerning reduction of armaments and disarmament: it calls the attention of world public opinion to the dangers inherent in the arms race; and, last but not least, it enables the two leading great Powers, the Soviet Union and the United States -- which bear the greatest responsibility and have at the same time the greatest possibility for the maintenance of international peace and security — to reach an agreement on the measures to be taken towards disarmament.

6. The foreign policy of the Government of the Hungarian People's Republic concentrates on the strengthening of international peace and security; and my country,

(Mr. Kömives, Hungary)

since it is a European socialist State, attributes particular importance to the consolidation of security in Europe. Working on this basis of principle, my Government endorses any initiative which serves to reduce international tensions, to avert the danger of war, to promote general and complete disarmament. My Government was among the first to sign and ratify the Treaty on the partial banning of nuclear weapon tests (ENDC/100/Rev.1), the Non-proliferation Treaty (ENDC/226*) and other agreements reached in the interest of disarmament.

7. All of us can well remember that this Committee was set up as a result of an agreement of great importance between the Soviet Union and the United States, with provision for the initial composition of the Committee. The General Assembly of the United Nations accepted this agreement in 1961 (resolution 1722 (XVI)). The Government of the Hungarian People's Republic approves the fact that the co-Chairmen of the Conference, in view of the increased number of independent States and in unison with many United Nations Member States, have agreed to a considerable expansion of the Committee in the interest of an equitable representation of political groupings and geographical regions. We can be assured that the General Assembly of the United Nations at its twenty-fourth session will consent to the enlarging of the Committee with the same pleasure as it consented to its establishment at the sixteenth session in 1961.

8. The Government of the Hungarian People's Republic looks upon the past activity of the Eighteen-Nation Committee on Disarmament with respect. We are aware of the complicated problems which have often had to be tackled under very complicated conditions. To achieve results in such a situation endurance, circumspection and patience are needed.

9. The Government of the Hungarian People's Republic is looking forward to the continued work of the Committee. I should like to assure you, Mr. Chairman, and all members of the Committee that the Hungarian People's Republic wishes to contribute, in close co-operation with the other member States, to the effectiveness of the Committee's work, to the strengthening of the peace and security of mankind.

10. The CHAIRMAN (United Arab Republic): I now call on the representative of Yugoslavia.

11. Mr. BOZINOVIC (Yugoslavia): I should like first of all, on behalf of the Yugoslav delegation, to express our gratitude to the Chairman of today's meeting, the representative of the United Arab Republic, for the congratulations, warm words

(Mr. Bozinović, Yugoslavia)

of welcome and good wishes addressed to us on the occasion of our country's becoming a member of this important negotiating body in the field of disarmament.

12. I should like now to read out the statement of the Yugoslav Government issued on 5 August with regard to Yugoslavia's becoming a member of the Eighteen-Nation Committee on Disarmament.

"The Government of the Socialist Federal Republic of Yugoslavia wishes to express its satisfaction at the fact that, by becoming a member of the Eighteen-Nation Committee on Disarmament, Yugoslavia will be able to participate actively, together with other member States, in its work.

"In its efforts towards safeguarding peace and positive developments in international relations, the Government of the Socialist Federal Republic of Yugoslavia has always attached particular importance to the problems of international security and disarmament. Taught by history and by their own experience, by enormous human and material sacrifices during the Second World War, the peoples and the Government of Yugoslavia will endeavour to continue to contribute to the solution of outstanding international problems, of which the problems of disarmament and international security constitute a significant part.

"The current developments in the world still in themselves bear numerous dangers. The most pernicious of all, with unforeseeable consequences for the existence of mankind, is the menacing danger of the arms race, which is still going on, and of the possible use of nuclear weapons.

"The international community is entitled to expect the Eighteen-Nation Committee on Disarmament to intensify its efforts to avert the danger which the application of the policy of force and the constant arms race constitute to the independence, sovereignty and unhampered development of the peoples.

"Conscious of the responsibility of the Eighteen-Nation Committee on Disarmament and in harmony with its support for all constructive efforts in this sphere, Yugoslavia will endeavour to achieve most fruitful co-operation with all States members of the Committee and in this way to contribute within the limits of its possibilities to the effective solution of the complex problems and tasks in the sphere of disarmament and international security which face this Committee."

13. The CHAIRMAN (United Arab Republic): I now call on the representative of the Netherlands.

14. Mr. ESCHAUZIER (Netherlands): May I first express the sincere thanks of my delegation for the warm welcome extended to us by you, Sir, as Chairman of today's meeting. It is a distinct privilege for me to convey to the Committee the profound satisfaction of the Netherlands Government that agreement has been reached to increase the membership of this important body. My Government is deeply gratified that the Kingdom of the Netherlands has been chosen as one of the additional countries which are today taking their seats among the senior members of the Committee.

15. From the outset the Netherlands Government has followed closely the proceedings of the Eighteen-Nation Committee on Disarmament, and it has taken an active part in the debates in the United Nations General Assembly on the questions contained in the Committee's report. But, of course, there is always a difference between a non-member, however interested and well informed it may be, and those countries which have a long experience of actual involvement in the process of negotiations in a particular organ. I wish therefore to assure all delegations that the Netherlands Government is fully aware of its great responsibility as a participant in the future deliberations of this forum.

16. For our own part I wish to say that our membership is a challenge indeed and that we hope to rise to the occasion. My delegation is determined to exert its best endeavours, in co-operation with the other delegations, to further the achievement of the objectives within the purview of this Committee. I do hope, Mr. Chairman, that my delegation will not disappoint the confidence you so kindly expressed that we shall be able in due course to make some positive contributions to the work of the Committee.

17. And in conclusion allow me to say that I should appreciate it if, with your indulgence and that of the Committee, I were allowed to make a further statement in the closed part of this meeting.

18. The CHAIRMAN: I now call on the representative of Pakistan.

19. Mr. SHAHI (Pakistan): Allow me first of all to express my grateful thanks to you, Mr. Chairman, for the cordial welcome you have extended to the new members, including Pakistan, on behalf of this Committee.

(Mr. Shahi, Pakistan)

20. To the two co-Chairmen of the Conference I should like to express the deep gratitude of my Government for the recognition that they have extended, by our inclusion in this Committee, to the vital stake of Pakistan in the quest for peace and security for Asia and the world through measures of arms control and disarmament.

21. The addition of eight more countries to the Eighteen-Nation Committee on Disarmament is a major step towards a redress of the geographic and political imbalance in its composition. At the same time it is the earnest hope of my delegation that the two nuclear Powers France and China, which are not in our midst, will before long be enabled to participate in this forum. It is hardly necessary for me to underscore the fact that for the deliverance of mankind from the dire peril of nuclear weapons it is indispensable to achieve the co-operation of all nuclear-weapon Powers in the prohibition, reduction and final elimination of nuclear weapons.

22. Pakistan is not a nuclear-weapon State, nor a military Power of the first order. Consequently our role in this Committee cannot but stem from a consciousness of our limitations. We realize only too well that prior agreement of the great armed Powers, and in particular of the two super-Powers, remains essential for any major advance in arms control or towards nuclear disarmament. Therefore our efforts will be directed towards the promotion of a climate in this Committee which would be conducive to such an advance. We are in no position to mediate great-Power differences of a major character; but we hope that it will not be taken amiss if we are motivated in our quest for disarmament by a profound sense of responsibility to the general membership of the United Nations and to the entire international community in seeking to assist the nuclear-weapon Powers to make good their solemn obligation under article VI of the Treaty on the Non-proliferation of Nuclear Weapons (ENDC/226*): that is, to bring about a cessation of the nuclear arms race at an early date and to progress towards nuclear disarmament.

23. In this context we should like to give expression to our deep anxiety over the increasing momentum of the nuclear arms race and the consequences that it implies for the present balance in strategic weapons between the two super-Powers. The Conference of Non-Nuclear Weapon States held nearly a year ago adopted a resolution, which was reiterated by the General Assembly at its twenty-third session, urging bilateral talks between the United States and the Soviet Union on the limitation of offensive strategic nuclear weapons, delivery systems and the systems of defence against ballistic missiles (General Assembly resolution 2454 B (XXIII); ENDC/237). We would hope that it would be possible for the two super-Powers to initiate these talks before this Committee adjourns for this year.

(Mr. Shahi, Pakistan)

24. In September 1967 the former United States Secretary of Defense, Mr. McNamara, warned:

"Technology has now circumscribed us all with a conceivable horizon of horror that would dwarf any catastrophe that has befallen man in his more than a million years on earth."

Surely this warning, coming as it did from so authoritative a source, must make all nations pause and reflect. In this twenty-fourth year of the atomic era mankind faces the truly momentous decision whether to seek, through a system of international control, a way out of the nuclear dilemma.

25. The CHAIRMAN: I now call on the representative of Argentina.

26. Mrs. ZAEFFERER de GOYENECHE (Argentina) (translated from Spanish): In compliance with the instructions of my Government, I have the honour to convey the text of a message from the Minister of Foreign Affairs and Worship of the Argentine Republic, Mr. Juan B. Martin, addressed to this Committee. The message reads as follows:

"The Minister of Foreign Affairs and Worship of the Argentine Republic has the honour to address himself to the co-Chairmen of the Committee on Disarmament, and through them to the members of the Committee, in order to tell them that the Argentine Government feels honoured by the invitation extended to it to join this body, and accepts the invitation in full awareness of the responsibility it assumes, as a testimony of confidence in its loyal and firm co-operation.

"The presence of the Argentine Republic in this forum is not fortuitous but is in keeping with a long history of international activity in favour of peace and therefore of disarmament.

"Argentina is an unswervingly peace-loving country.

"Argentina has always advocated the legal and peaceful settlement of disputes. That is why the Committee on Disarmament has been of such great interest to my country, which, though not being a member, has followed its proceedings with particular attention.

(Mrs. Zaefferer de Goyeneche, Argentina)

"We undertake to collaborate loyally in order that the Committee may achieve its objectives. We are aware of all the difficulties, some seemingly insoluble; but we must devote all our energies to achieving our aims. We believe that nothing that may be done in other international forums will have any meaning unless general and complete disarmament is achieved."

27. Having conveyed that message, in conclusion I wish to thank you, Mr. Chairman, for your kind words of welcome and to extend our thanks to all the members of the Eighteen-Nation Committee on Disarmament. I wish to state in particular that in a later intervention the Argentine delegation will give its views on the important questions under consideration in this forum. Furthermore, we offer from now on our fullest collaboration to the delegations participating in this Conference.

28. The CHAIRMAN (United Arab Republic): I now call upon the representative of Morocco.

29. Mr. KHATTABI (Morocco) (translation from Spanish): In the absence of the head of my delegation, who has been unable to arrive in Geneva in time, I should like to express to you, Mr. Chairman, the thanks of the Moroccan delegation for your cordial words of welcome to this meeting of the Eighteen-Nation Committee on Disarmament, in which the Kingdom of Morocco is participating for the first time, together with other friendly countries, being called upon to assume new international responsibilities within this body. The thanks and sentiments of gratitude of my delegation are addressed both to the co-Chairmen of the Committee and to all its members for the confidence they have placed in my country in admitting it as a new member.

30. The Kingdom of Morocco, which does not cease to work, under the aegis of our august sovereign Hassan II, in accordance with the principles of the United Nations, feels happy and gratified at being able to contribute more actively to the task of maintaining world peace and security through the search for the best possible means capable of leading to the elimination of weapons of mass destruction -- a task that is incumbent first and foremost on this Committee, whose existence represents the continuity and continuation of the dialogue, and consequently the hope for a future freed from the many causes of fear that silently beset mankind.

(Mr. Khattabi, Morocco)

31. The active and widest participation of the developing countries in the work of disarmament has a very important significance because it constantly reminds us that the economic and social development of an immense majority of the world's population is a more urgent and important need than the accumulation of weapons of every kind, since the achievement of that development for the benefit of all the peoples will be the witness of our time and the proof of our civilization. And when speaking of our civilization, which throughout our history has repeatedly been the victim of primitive and much less devastating weapons than those we know today and those that we do not know, and which has nevertheless been able to survive, we should ask ourselves what would be the fate of our contemporary civilization if that infernal machinery represented by all weapons of mass destruction were one day to be used. I very much fear that the reply would be that only a few space objects would remain orbiting above the earth's atmosphere, a few scientific instruments placed on the moon, and a few human footsteps imprinted on the soil of that earth satellite. God grant that it may not be so!

32. The CHAIRMAN (United Arab Republic): We have now concluded the open part of this meeting and we shall have a five-minute recess, after which the Committee will resume its work in private.

The meeting was suspended at 11.5 a.m. and resumed at 11.10 a.m.

33. The CHAIRMAN (United Arab Republic): We shall now begin our private meeting, and I call first upon the representative of Mexico.

34. Mr. CASTANEDA (Mexico) (translation from Spanish): I should like to avail myself of this opportunity to extend a most cordial welcome to the new members of the Committee who have today taken their places in our midst.

35. As all of you are aware, the Mexican delegation objected to the procedure followed by the co-Chairmen in order to bring about the admission of the new members. Its reasons appear in the record (ENDC/PV.416, paras. 44, 45) and I shall not repeat them. However, our objection of principle concerning the procedure followed and the role of the General Assembly in the whole of this matter in no way detracts from our satisfaction in greeting the presence of those delegations among us. We extend the warmest of welcomes to the delegations of Argentina, Hungary, Morocco, the Netherlands, Pakistan and Yugoslavia. We are convinced that their participation will help to enrich our work and we await their contribution with great interest.

(Mr. Castañeda, Mexico)

36. Despite the excellent relations we maintain with each and every one of the new members, I hope that it will not be taken amiss if I express our particular happiness in extending a welcome to our sister Republic, Argentina, to which Mexico is linked by old and very strong ties of special friendship.

37. Today I shall deal with prevention of the arms race on the sea-bed and the ocean floor. The choice of this topic for the first statement by the delegation of Mexico since the resumption of the Committee's session does not mean that we consider it to be the most important and urgent item on the Committee's programme of work. The subject which has the highest priority is of course nuclear disarmament. But the present appears to be a favourable opportunity to add our efforts to those of other members who have attempted to bring closer together the positions of the United States and the Soviet Union as set forth in their respective draft treaties (ENDC/249; ENDC/240).

38. We believe that the demilitarization of the sea-bed and the ocean floor is an appropriate subject for the exercise of conciliatory action by the countries upon whom this function devolves in the Committee on Disarmament: the group formerly of eight and now of twelve "non-aligned" countries. We believe that the basic interests of the two super-Powers coincide in desiring that the sea-bed should not be used for military purposes. There are important differences between them about the scope of the prohibition, its geographical limits and the methods of verification; but we believe that those differences, although important, are not such as to impede an over-all agreement.

39. Before the respective positions of the non-aligned countries become fixed or crystallized, and before there is added to the existing difficulties in the way of an agreement yet another of a political and psychological nature consisting in reluctance to give the impression of giving way before the attitude of the opponent, they should attempt to make a serious effort to find conciliatory formulas that would avoid this additional obstacle. There is no need to add that the active participation of our countries is also justified by our common interest in preserving and peacefully utilizing this new environment, which man has barely begun to explore and which apparently contains unsuspected resources of every kind.

40. I will first examine the question relating to the activities and installations that should be covered by the prohibition.

(Mr. Castañeda, Mexico)

41. We certainly incline to prefer prohibiting all military activities on the sea-bed and the ocean floor to prohibiting only the emplacement of nuclear weapons and other weapons of mass destruction. The fundamental and elementary reason for this preference is that the arms race would thus be completely excluded from the sea-bed and the ocean floor -- which seems to be to be in itself highly desirable. It is true that the precise juridical regime to be applied to the sea-bed and the ocean floor has not yet been determined; but independently of any technicality concerning that regime there is no doubt that that environment belongs to the whole of mankind and should be used for the benefit of all countries. Any kind of military use of the sea-bed and the ocean floor represents to us a kind of unjustified territorial usurpation and would undoubtedly constitute an obstacle to its future exploitation for the benefit of all. It seems to us that this should be the primary consideration.

42. The argument that a complete prohibition would excessively complicate the problem of control is, in our opinion, not convincing. On the contrary, it would seem rather that the prohibition of all military installations or activities would facilitate the tasks of control, since there would be no need to draw difficult distinctions between the different types of military installations. The representative of Poland explained (ENDC/PV.406, para. 20) how launching platforms and other fixed installations on the sea-bed could be used for either nuclear or conventional weapon delivery vehicles. This, in our opinion, would make verification extremely difficult.

43. The representative of the United States argued that certain navigational and other similar devices can be used for both military and non-military purposes (ENDC/PV.397, para. 34). He also pointed out that, because of the existence of submarine fleets, States required for their defence the use of devices fixed on the sea-bed for locating enemy submarines (ibid.). He also pointed out that scientific and technological research is, as a rule, carried out on the sea-bed by military personnel (ibid.), and even mentioned the transmission of messages for military purposes through submarine cables. All of this, he said (ibid., paras. 26 et seq.; ENDC/PV.421, paras. 29 et seq.), militates in favour of partial prohibition.

44. But those considerations, which obviously are weighty, do not prove that complete demilitarization of the sea-bed and the ocean floor should not be accepted in principle as the best solution. The representative of the Soviet Union pointed out that those

(Mr. Castañeda, Mexico)

activities would not be prohibited by the Soviet draft treaty, which provides for complete demilitarization, since according to him they would be activities or devices which had "no direct military purpose" (ENDC/PV.409, para. 27). Undoubtedly this concept is not lacking in ambiguity. Perhaps it is not easy to apply, but in any case it constitutes a general guideline that helps to solve the problem. The representative of Sweden, Mrs. Myrdal, after explaining that in her opinion also prohibition should be extended to all weapons and to all military bases and fortifications and other military installations and structures fixed on the sea-bed, pointed out that "devices which are of a purely passive defensive character, such as means of communication, navigation and supervision" (ENDC/PV.422, para. 40) should be excluded from the prohibition. It seems to me that the characterization made respectively by the representatives of the Soviet Union and Sweden of the devices and activities which by way of exception are to be outside the prohibition is identical, or at least very similar, despite the different words used.

45. Although we incline to prefer total prohibition, we are not insensible of another argument, presented persuasively by the United States and prompted by practical and realistic considerations, in favour of partial prohibition. In fact, the most dangerous and disquieting possibility is the installation of submarine bases for nuclear missiles. The reason why this horrifying prospect acquires aspects of reality is that the two space Powers already have effective means of keeping watch on each other's territories with satellites. This surveillance could be avoided by concealing nuclear missiles in the depths of the sea. So far as one knows, it would be very difficult to detect one of these bases once it was installed.

46. Now, as was explained by the representative of the United States, owing to the opacity of the water, its pressure, and other obvious problems, the installation of one of these bases would be very difficult and exceptionally costly, and would therefore only be justified, militarily speaking, for nuclear weapons. (ENDC/PV.411, paras. 24 et seq;) It would not be worth while to use the sea-bed and the ocean floor for the emplacement of conventional weapons, although there is always the possibility pointed out by the representative of Poland earlier. However, basically it can be agreed that the primary interest of prohibition lies in nuclear armament.

(Mr. Castañeda, Mexico)

47. Nevertheless, we have not failed to be impressed in this respect by the reflections of the Soviet representative (ENDC/PV.423, para. 45). He pointed out, quite rightly, that the foregoing arguments would be valid only if the sole purpose pursued in emplacing nuclear weapons on the sea-bed was to attack the territory of another State. But that is not proved. One has only to think of the enormous importance that mines and other future devices of a similar kind which might be emplaced on the sea-bed would have in a war on the high seas, especially for attacking shipping.

48. Be that as it may, for our part we believe that the considerations mentioned earlier, all of which are military, are perhaps not those of the greatest importance, especially if we study the problem in its true perspective. What should weigh with us most is that an environment which, after all, belongs to mankind should not be used for military purposes -- that is, purposes which in the last analysis are contrary to the permanent interests of the whole of mankind.

49. It is true that other environments of free and common use, such as the high seas, are also used for military purposes. But to this we would reply that precisely because the sea-bed is an environment which so far has been free, or almost free, from all military use, it could still be prevented from being used in the future for military purposes. Today there is still a mutual and converging interest of all States. But the prohibition must be total and immediate. If, from the outset, partial militarization of the sea-bed is allowed, in time there will occur the familiar and apparently inevitable process of the strengthening of the interests which have been created progressively and the consolidation of the positions which have been adopted. In all this the time factor is of capital importance.

50. In this connexion we should remember what happened in the case of the Moscow Treaty of 1963 (ENDC/100/Rev.1) prohibiting nuclear tests. These were prohibited in all environments except one, underground, because an agreement on inspection could not be reached. It was said then that the conclusion of a partial treaty at that time would facilitate a future agreement on the environment which was excluded from the prohibition. In fact that prophecy has not been fulfilled. The prohibition of underground tests does not appear to be any easier today than it was six years ago, despite the great progress that has been made in methods of detection and identification of such events. It would seem that the non-prohibition of underground tests was almost an encouragement to carry them out. In any case, they are still being carried out with renewed enthusiasm.

(Mr. Castañeda, Mexico)

51. We should not want anything similar to happen in that other environment of the sea-bed and the ocean floor if from the outset we allowed for exceptions. The most propitious moment for a comprehensive agreement is now, not in the future. If the lessons of history are to indicate what awaits us, we very much fear that when, in five years' time, the review conference was held in accordance with the United States draft, agreement on the prohibition of additional military activities on the sea-bed and the ocean floor would not be any easier but rather more difficult than it is today.

52. In short, it seems to us that the best solution to the whole problem is this: to include in the treaty, in its first article, the principle of the prohibition of all military activities on the sea-bed and the ocean floor. In other words, the prohibition would cover all weapons, military bases and fortifications and all other installations and structures of a military character fixed on the sea-bed. That would be the general principle. Next, in the following article, we should include what is called in English a disclaimer clause, laying down that the provisions of the previous article must not be interpreted as prohibiting devices and activities not of a directly military character -- or, if desired, we could say of a purely passive defensive character, to use the expression of the representative of Sweden -- such as the use of military personnel for research for peaceful purposes, the use of directional aids, submarine cables and other means of communication, navigation or supervision. Like the delegation of Sweden, we feel that such exceptions should be made by a general formula rather than by an exhaustive list. In the kind of article we are suggesting the list would be given simply by way of example.

53. I should like now to say a few words concerning the geographical area to which the treaty would apply, or rather, the area adjacent to the coasts where the treaty prohibition would not apply.

54. I believe that from the outset we should reject methods consisting either in the use of an isobath which would follow the contour of the sea-bed, or in adopting the outer limits of the national jurisdiction of each country. Suffice it to say in this connexion that the use of either of those systems would result in areas of very different sizes where the prohibition would not apply. In addition to the problem of the unequal treatment of States to which this would lead, it would be difficult to understand why certain very large areas should be left outside the prohibition -- areas which might extend 200 miles or more from the coast -- when those are precisely these areas of which

(Mr. Castañeda, Mexico)

military use would be most dangerous. For instance, if the limits of the continental shelf were to be used as a criterion, the whole of the Baltic Sea, most of the North Sea, the major part of the Adriatic Sea and a good part of the Gulf of Mexico would be excluded from the prohibition.

55. To establish a uniform régime in keeping with our specific purpose, it would appear preferable to establish a narrow band of the same width throughout the world. While it is admittedly impossible entirely to avoid the impression that the width of that band bears some relation to the area of sovereignty of the coastal State -- in other words, the territorial sea -- this problem could be solved adequately and satisfactorily by the inclusion of a clause in the treaty, as in the United States draft, expressly providing that the width of the band shall not prejudice the extent of the territorial sea of the parties, or even their position concerning it, or the rights they claim over the continental shelf.

56. If it is admitted that this clause sufficiently safeguards the rights of the parties, as indeed it does, I believe there would be no difficulty in accepting the United States position that this band should be only three miles wide. The practical difference between a three-mile band and one of twelve miles, as proposed by the Soviet delegation, is not very great in an open ocean like the Pacific. But in narrower seas, in straits, in archipelagos, in some bays or in seas dotted with islands -- like the Eastern Mediterranean -- the difference can be considerable because of the effect of the rules governing the base lines used for measuring the territorial waters. It is probable that such less open areas may be precisely the most critical areas from the standpoint of their demilitarization.

57. In weighing the advantages and disadvantages of either a three-mile or a twelve-mile zone outside which certain military activities are prohibited, one easily tends to compare and associate the purpose of that zone and what happens in it with the other narrow band which constitutes the territorial sea. This implicit confusion complicates the issue.

58. In the territorial sea, the coastal States are concerned that certain activities, such as fishing, should be prohibited to foreigners and reserved for their nationals. For that reason they hope for as broad as possible a territorial sea-band. A very narrow territorial sea, for instance three miles, implies that foreigners may do anything

(Mr. Castañeda, Mexico)

freely up to that distance, which is so close to the coast. On the contrary, in the ocean-bed band, for purposes of demilitarization, precisely the opposite applies: beyond it -- that is, seawards from that band -- activity by foreigners is not allowed, as fishing was, but is prohibited. For the territorial sea, the prohibited zone is the band of the territorial sea itself. For demilitarization of the sea-bed, the prohibited zone is the area outside that band. For this reason, from the point of view of the dangers coming from outside, the dangers represented by the activities of other countries, the coastal State derives no greater advantage from a broad band than from a narrow band.

59. Of course, the advantage for the coastal State of a twelve-mile band over a three-mile band is that it would thus have a larger area adjacent to its territory where it could emplace arms and military devices for its defence. But, in addition to the fact that the interests of the international community as a whole -- which we must have in mind first and foremost -- would be better served by a larger demilitarized area, this other consideration would also have to be remembered: electronic devices for the tracking of submarines, and other similar devices "not of a direct military character", or also as devices "of a purely passive defensive character", would not be prohibited beyond that narrow band. The coastal State could thus emplace them up to the distance that it deemed necessary for its security.

60. As for weapons and military installations as such, it is not easy to assess the advantages which, from the military point of view, would derive from their emplacement on the sea-bed near the coast for defensive purposes. I do not believe that we have sufficient experience in this regard. But in any case the primary consideration should be this: the demilitarization that a State would impose on itself in this respect under the treaty would be offset by identical limitations imposed on all other States, including potential adversaries.

61. Likewise the argument that one part of the sea-bed that would be demilitarized, between three and twelve miles, would be subject to the sovereignty of the coastal States which have fixed for their territorial sea a width of twelve miles does not appear to me to be convincing. Moreover, we see no essential difficulty, in point of substance, in accepting even the Japanese proposal (ENDC/PV.420, paras. 14, 15) that the demilitarized area should extend to the very limits of the coast. We have already agreed that the

(Mr. Castañeda, Mexico)

territorial sea is a different thing from the demilitarized band, both in its purpose and in its legal category. There is no reason whatsoever why States should not be able to agree even that one part of their territory -- that is, the part of the sea-bed within their territorial sea -- should be completely demilitarized.

62. I should like now to refer to the problem of verification and control of the obligations under the treaty.

63. The primary consideration here is that the system of verification and control should be in keeping with the nature and scope of the obligations assumed under the treaty and with its geographic area of application. This concordance is essential, but not exclusively so, because of the right proportion that there must be between the risks and the magnitude of the control that is exercised. It is easy in this matter to fall into the temptation of aspiring to exercise a control that is perhaps excessive and complex and is in fact unnecessary. As the Soviet representative very rightly said (ENDC/PV.400, para. 25), to areas where there are no national borders -- such as Antarctica, outer space and the sea-bed and ocean floor -- the principle of free access for all parties can be applied fully and is the most complete and effective method of control -- especially when, one might add, they are unpopulated. Furthermore, that method is the simplest and most economical.

64. Under article 2 of the Soviet draft, all installations or structures emplaced on the sea-bed or the ocean floor "shall be open on the basis of reciprocity to representatives of other States Parties ...". Some non-aligned countries -- in fact nearly all of them -- have objected to the concept of "reciprocity". That objection would be perfectly justified if the expression "reciprocity" within the context of the Soviet draft meant "open to other parties also having installations on the sea-bed or the ocean floor". If, on the contrary, it meant "open to the other parties to the treaty, without discrimination among them", then the concept would appear to us quite acceptable. In any case I believe that the meaning of the concept "reciprocity" in this context could be clarified so as to avoid any ambiguity.

65. The analysis and criticisms of this concept of reciprocity have given rise to interesting discussions, especially within the group of non-aligned countries, concerning the whole problem of control. The dominating theme in those discussions

(Mr. Castañeda, Mexico)

was the possibility that some international body might take charge of verification, so that States having fewer resources would not have to resort to the help of powerful States in order to ascertain whether there had been a violation of obligations under the treaty.

66. The creation of an international body to exercise this function of surveillance on the sea-bed and the ocean floor appears to me unrealistic. Its establishment would be disproportionate to the kind of surveillance required, to the existing circumstances and to the environment in which the surveillance was to be carried out. Moreover, in a field in which there are -- and will be for a long time -- only two super-Powers capable of carrying out those very costly operations, the most effective system of control -- and the most economical for the rest of the world -- would consist in their reciprocal surveillance.

67. Nor does it seem to me practical to lay down in the treaty the general obligation to assist any State requesting assistance for the control of compliance with the obligations. As the representative of the United States pointed out:

> "A formal requirement to assist any complaining State could not be accepted without examining the possible need for criteria in the treaty to establish that a prima facie case had been presented that would justify the effort and expense, and perhaps even the hazards, of a verification operation." (ENDC/PV.421, para. 50)

I believe the adequate solution might be that, so far as the need arises, the different groups of States could, outside the general treaty, conclude agreements among themselves to assist each other in the tasks of verification of compliance with the obligations of the treaty.

68. The difference between the Soviet and the United States drafts is that the former -- leaving aside for the present the question of reciprocity -- provides for total free access to any installations on the sea-bed, while the United States does not accept unconditional verification but merely lays down the right of the parties to observe the activities of other States on the sea-bed and the ocean floor, with the undertaking to consult each other and to co-operate to endeavour to solve any problem

(Mr. Castañeda, Mexico)

that may arise. The United States draft does not recognize the right to inspect installations of other parties except that in order, for instance, to verify whether some installation might, because of its configuration, contain a rocket for the launching of nuclear weapons, account would be taken of the characteristics of the installation, such as openings or gates to facilitate launching, which would not escape observation.

69. The reasons adduced for not accepting a system of unconditional verification is that there are many claims of national jurisdiction over the sea-bed and the ocean floor -- unlike the moon -- and the growing scientific, industrial and commercial utilization of the sea-bed and the ocean floor, besides the cost of the gigantic technical problems which that kind of inspection would raise in the hostile environment of the sea-bed and the ocean floor. These reasons, though important, do not appear to us sufficient to make us discard the principle of free access and confine ourselves to mere observation.

70. The question of the cost and the technical difficulties does not prove the point. Each party would decide freely whether or not, in order to inspect an event, it was prepared to make a more or less important sacrifice according to the degree of suspicion and the importance it attached to the event. If it could not, or did not wish to, carry out a real inspection, it could content itself with observation, as the United States draft allows. In fact there is no need to compare the two systems to conclude that free access is technically more difficult and costly and that the medium-sized and small countries would be unable to carry out effective surveillance. The comparison is not valid, for two reasons: first, because neither system compels any of the parties to do anything but merely authorizes them; secondly, because observation is merely a minor grade of inspection or, in other words, because all inspection involves observation.

71. The principle of free access represents a maximum. The acceptance of that principle would enable the parties, without compelling them, to graduate their reaction to a suspicious fact from doing nothing or very little to exercising fully their right to free access. That broad spectrum of possibilities covers all situations and takes into account, so to speak, all possible events. For that reason we believe it is preferable to mere observation.

(Mr. Castañeda, Mexico)

72. There still remains the not insignificant problem of national claims over the sea-bed and the ocean floor. Those claims, if they are to be valid, can only relate to the continental shelf as defined in the only existing multilateral instrument, namely the Geneva Convention of 1958,[1/] which undoubtedly reflects the international law in force in this regard. Now, under that Convention the coastal State exercises rights of sovereignty over the shelf for the exploration and exploitation of its resources. Industrial installations, which are certainly numerous and which have been erected on the continental shelf in many parts of the world, come under the jurisdiction of the respective coastal States. Here the problem of verification to determine whether such installations are free of weapons is extremely difficult to solve. As the representative of Sweden, Mrs. Myrdal, has stated so well: "Here the principle of free access meets a real test" (ENDC/PV.422, para. 57); although, in our opinion quite rightly, she concluded that even there it ought to be upheld.

73. Admittedly that principle is wide open to abuse in two opposite ways. On the one hand, a State might be tempted to require free access to one of these installations, on the pretext of the presence of weapons, for purposes of industrial espionage. On the other hand, a State might quite well try to use for military purposes a predominantly industrial installation situated not far from the coasts of another State though outside its jurisdiction. Nevertheless, despite the risks, I believe that in both cases the principle of free access ought to be upheld. However, it seems to me that, to avoid abuse of this right, it would be desirable to indicate in the relevant article of the treaty that free access should only be exercised to the extent and in the conditions necessary for verifying whether the suspected installations are prohibited by the treaty. It is true that the provision would not state who would decide that access must be limited, and that such a rule would be difficult to apply. Nevertheless, it would be a directive which could guide States and would not have a more general character than the rest of the provisions of the treaty.

74. Mr. ESCHAUZIER (Netherlands): I greatly welcome this opportunity to thank the representative of Mexico whole-heartedly for his kind words of welcome to our delegation as one of the newcomers to this Committee. I shall now proceed to make a few observations on the policy of my Government in matters of arms control and disarmament.

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1/ United Nations Treaty Series, Vol. 499, pp. 311 et seq.

(Mr. Eschauzier, Netherlands)

75. The Netherlands Government attaches particular importance to the effort to shape the conditions of a safer world through the control, limitation and reduction of armaments. Over the past years it has striven to make its own contribution to this effort. I should like to recall that the Kingdom of the Netherlands acceded to the Treaty on Antarctica[2] and to the partial test-ban Treaty (ENDC/100/Rev.1), and that it is a signatory to the Outer Space Treaty (General Assembly resolution 2222 (XXI)(Annex)), to Protocol I of the Treaty of Tlatelolco (ENDC/186), and to the Treaty on the Non-proliferation of Nuclear Weapons (ENDC/226*). I may even say that my Government vigorously promoted the conclusion of the Non-proliferation Treaty.

76. In pursuing its policy with regard to arms control and disarmament, the Netherlands Government enjoys the full support and encouragement of the Netherlands people, who take a traditional interest in the strengthening of peace and in the advancement of a global order of law. The Netherlands Parliament has frequently held extensive debates on questions of arms control and disarmament, and urged the Government to conduct an active policy in this field.

77. For instance, five years ago my Government submitted to the Dutch Parliament a fundamental and detailed statement concerning its position with regard to the whole range of the problems of disarmament, security and peace. In that statement it observed that the revolutionary developments in weapons technology of the post-war years had placed mankind in a situation in which increasing armaments, aimed at enhancing security, in fact are far from doing so and, on the contrary, generate more and more insecurity. On account of those developments disarmament had now become a compelling necessity and an indispensable element of the national security policy of States. The ultimate objective must be the establishment of a world order of law in which national armaments will be generally and completely abolished. Of course, this pre-supposes radical changes in the political and legal structure of the international community; and it is evident that we shall have to travel along an arduous road before this goal can be achieved.

78. Meanwhile, however, in this imperfect world of ours as it now stands, we must spare no efforts to prevent the situation from becoming worse. Therefore my Government shares the opinion that, while remaining acutely mindful of the grand design of general and complete disarmament, one should explore unremittingly ways in which, outside the

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2/ United Nations Treaty Series, Vol. 402, pp. 71 et seq.

(Mr. Eschauzier, Netherlands)

framework of general and complete disarmament, more modest agreements or measures may help to check the arms race and to decrease the risks of an outbreak of war. We think it vitally important that this Committee has spent so much time and energy on the study and preparation of collateral disarmament measures. We also highly appreciate the valuable contributions made time and again by the eight non-aligned members of the Eighteen-Nation Committee, and their perseverance and ingenuity.

79. As I have said, arms control and disarmament constitute a necessary part of the quest for security. In our view there is no inescapable contradiction between, on the one hand, the pursuit of disarmament, and on the other hand -- as long as disarmament has not been achieved -- the maintenance of defensive forces. Policies of defence and of disarmament should be seen as complementary. Both aim at security, and therefore they ought to be in mutual harmony.

80. In this light it is logical that the arrangements we seek in the field of disarmament have always to be tested by the criterion that they should not place one party at a distinct military disadvantage vis-à-vis another party. This is in keeping with point 5 of the principles agreed on between the Soviet Union and the United States in 1961 as the basis for future negotiations on general and complete disarmament, namely that all measures should be balanced so as not to afford at any stage a military advantage to any State or group of States (ENDC/5).

81. Conversely, the same logic dictates that, when contemplating major measures in the field of defence, one should carefully examine whether the measures under consideration are likely to provoke new escalations of the arms race. It is gratifying that the awareness of this interrelationship has increased during the past years and that there is a growing tendency to test important steps of defence planning in the light of their compatibility with the general philosophy of arms control.

82. One military development which, in the opinion of my Government, would plainly conflict with that basic philosophy would be a possible increase in the number of countries having independent control of nuclear weapons. To stop the further spread of those weapons is a pre-requisite for progress on the road to arms control and disarmament. Hence the Netherlands Government, as I have already said, attaches great importance to the Treaty on the Non-proliferation of Nuclear Weapons. It fervently hopes that all States which have the technological and economic capacities to produce nuclear weapons will soon become parties to that Treaty.

(Mr. Eschauzier, Netherlands)

83. At the same time I wish to make it clear that we view the Non-proliferation Treaty as merely one preliminary step on the road to nuclear arms control and eventually disarmament. It is now up to the nuclear-weapon Powers themselves to take the next steps. One year ago, during the debate on the Non-proliferation Treaty at the twenty-second session of the United Nations General Assembly, the Netherlands delegation pointed out that the non-nuclear parties to the Non-proliferation Treaty undertake in fact to give a "unilateral example" by renouncing the option of a nuclear-weapon programme. Therefore we expect the nuclear-weapon Powers to respond to this example by exercising a clear measure of self-restraint in the months and years ahead.

84. They will have to give concrete proofs of becoming less arms-race minded. The hard test for the super-Powers may well reside in their unwavering purpose and will to avoid over-reacting and even to risk under-responding in a given situation. It is now their foremost duty to pursue negotiations in good faith with a view to halting the nuclear arms race in which they have implicated themselves. This goal of defusing the current arms competition will most likely be reached, not by sticking to a rigid pattern, but rather as a result of successfully managing certain issues, and by way of a gradual process.

85. As we remarked a year ago, the most disquieting aspect of the next spiral in the nuclear arms race is its predominantly qualitative character and the ever-increasing refinement and sophistication of both defensive and offensive weapons. It is a cause for great satisfaction, therefore, that the major nuclear Powers -- the United States and the Soviet Union -- are about to enter into negotiations with a view to forestalling such further escalation of the nuclear arms race. We wish those Powers all success, although we realize that agreement will not be within easy reach considering the complexities of the problem and the vital issues at stake. The degree of progress in those strategic arms limitation talks will undoubtedly have a favourable effect on other arms-control projects and perhaps on world politics in general. I hope that those talks will in due course include all the nuclear-weapon Powers and that the negotiators will inform and, when appropriate, consult this Committee.

86. It seemed proper to me to limit myself in my first statement to a brief outline of my Government's basic concepts in matters of arms control and disarmament. I intend to comment on a later occasion on the specific topics which are currently being discussed in this Committee.

(Mr. Eschauzier, Netherlands)

87. In conclusion, may I be allowed to make one personal remark. It has been my good fortune, in the fulfilment of other assignments in other cities and also in Geneva, to establish most cordial relations with many members of this Committee. I am looking forward to continuing and strengthening those friendships and to establishing the same kind of friendly relations with the members whom I am now meeting today for the first time.

88. Mr. LEONARD (United States of America): I should just like to take this occasion to express the gratitude of our delegation -- and I am sure that I speak for all delegations here on this matter -- to the Secretariat for the excellent physical arrangements which it has worked out for this enlarged Committee, and which have been worked out very quickly indeed. I would note that in carrying out these rearrangements the Secretariat has in fact accomplished one of the objectives of any negotiation: it has brought the two sides just a bit closer together -- I would say four or five feet in this case. At the same time this new arrangement has met another criterion which is demanded by any negotiator: it has left sufficient room for manoeuvre. I am sure that we are all grateful to Dr. Protitch and his colleagues on the United Nations staff here in Geneva.

89. The CHAIRMAN (United Arab Republic): Before turning to the communiqué, I should like to read an announcement on behalf of the co-Chairmen:

"The delegation of Italy has requested that an informal meeting of the Eighteen-Nation Committee on Disarmament be convened on Wednesday, 20 August 1969, for a preliminary discussion regarding the Committee's report to the twenty-fourth session of the General Assembly.

"If agreeable to the other members of the Committee, this meeting will be held at 10.30 a.m. on 20 August."

It was so decided.

The Conference decided to issue the following communiqué:

"The Conference of the Eighteen-Nation Committee on Disarmament today held its 426th plenary meeting in the Palais des Nations, Geneva, under the chairmanship of H.E. Ambassador Hussein Khallaf, representative of the United Arab Republic.

"Statements were made by the Chairman and by the representatives of Hungary, Yugoslavia, the Netherlands, Pakistan, Argentina and Morocco.

"After the conclusion of the open part of the meeting, statements were made by the representatives of Mexico, the Netherlands, the United States of America and the Chairman.

"The next meeting of the Conference will be held on Tuesday, 12 August 1969, at 10.30 a.m."

The meeting rose at 12.5 p.m.